Legislation Details (With Text)

File #:	Res 0221-2006	**Version:**	*	**Name:**	LU 76 - ULURP, Melrose Hotel, Manhattan (050348ZRM)
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Land Use
On agenda:	3/22/2006				
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Title: Resolution approving the decision of the City Planning Commission on Application No. N 050348 ZRM, an amendment to the text of the Zoning Resolution relating to Article III, Chapter 2 and Article VII Chapter 3, concerning Sections 32-31 (By the Board of Standards and Appeals) and 73-36 (Physical Culture or Health Establishments) to allow Physical Culture or Health Establishments by BSA special permit in C1-8X districts (L.U. No. 76).

Sponsors:

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 3/22/06

Date	Ver.	Action By	Action	Result
3/16/2006	*	Committee on Land Use	Approved by Committee	
3/22/2006	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 221

Resolution approving the decision of the City Planning Commission on Application No. N 050348 ZRM, an amendment to the text of the Zoning Resolution relating to Article III, Chapter 2 and Article VII Chapter 3, concerning Sections 32-31 (By the Board of Standards and Appeals) and 73-36 (Physical Culture or Health Establishments) to allow Physical Culture or Health Establishments by BSA special permit in C1-8X districts (L.U. No. 76).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on February 13, 2006 its decision dated February 8, 2006 (the "Decision"), on the application submitted by Barbizon Hotel Associates, L.P., pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 050348 ZRM), Community Boards 8 and 11, Borough of Manhattan (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 9, 2006;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, issued on October 17, 2005 (CEQR No. 05DCP065M);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment;

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application the Council

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approves the Decision; and

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter in *italics* is defined in the Zoning Resolution;
*** indicates where unchanged text appears in the Zoning Resolution.

* * *

73-36 (xx/xx/05)

Physical Culture or Health Establishments

(a) In **C1-8X**, C1-9, C2, C4, C5, C6, C8, M1, M2 or M3 Districts, and in certain special districts as specified in the provisions of such special district, the Board of Standards and Appeals may permit *physical culture or health establishments* as defined in Section 12-10, including gymnasiums (not permitted under Use Group 9), massage establishments other than *adult physical culture establishments*, for a term not to exceed ten years, provided the following findings are made:

* * *

The Board may prescribe appropriate conditions and safeguards including location of signs and limitations on the manner and/or hours of operation in order to minimize adverse effects on the character of the surrounding community.

* * *

32-30 (12/15/61)

USES PERMITTED BY SPECIAL PERMIT

32-31 (xx/xx/05)

By The Board of Standards and Appeals

* * *

C1-8X C1-9 C2 C4 C5 C6 C8

Physical culture or health establishments, including gymnasiums (not permitted under Use Group 9), massage establishments [PRC-B]

* * *

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on March 22, 2006, on file in this office.

.....
City Clerk, Clerk of The Council